REMARKS

Claims 1, 2, 11, 12, 14, 15 and 17 through 22 are now pending in this application. In response to the non-final Office Action dated October 6, 2005, claims 1, 2, 11, 12, 17 and 18 have been amended, claims 3 through 10, 14, 15 and 20 have been cancelled, and new claims 21 and 22 have been added. Care has been taken to avoid the introduction of new matter. Favorable reconsideration of the application as amended is respectfully solicited.

Claims 1 through 20 as originally presented were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. published patent application 2003/0220531 (Cortright). In response, claims 1, 2, 11, 12, 17 and 18 have been amended. Claims 21 and 22, dependent respectively from claims 17 and 18, have been added. It is submitted that the remaining pending claims as amended are patentably distinguishable from Cortright. Withdrawal of the rejection is respectfully solicited.

The invention according to independent claims 1 and 2 as amended is characterized in that the proton conductive substance of the fuel cell electrode is a solid acid having a water of crystallization. Since the solid acid has a water of crystallization, good proton conductivity can be stably obtained even when a catalyst electrode becomes water deficient and creates a dry region locally.

The invention according to now independent claims 17 and 18 as amended is characterized in that the proton-conducting substance is a fullerene derivative including an electron-withdrawing group. In other words, the fullerene includes an electron-withdrawing group in addition to a proton-conducting functional group. The electron-withdrawing effect of the electron-withdrawing group accelerates dissociation of a proton from a proton-conducting functional group and thus, the proton can easily move via the electron-withdrawing group.

In contrast, Cortright merely states, in connection with producing hydrocarbons via the reforming of an oxygenated hydrocarbons, that it is also much preferred that the catalyst be adhered to a support, such as silica, alumina, zirconia, titania, ceria, vanadia, carbon, **heteropolyacids**, silica-alumina, silica nitride, boron nitride, and mixtures thereof. Furthermore, the active metals may be adhered to a nanoporous support, such as zeolites, nanoporous carbon, nanotubes, and **fullerenes** [0018].

Contrary to the assertion in the Office Action, Cortright does not disclose the quality of an electrode for a fuel cell as required in the subject invention. Thus, the invention according to claims 1, 2, 17 and 18 is clearly distinguishable from Cortright and achieves effects not found in the related art. Withdrawal of the rejection in light of the novelty of claims 1, 2, 11, 12, 14, 15 and 17 through 22 is urged to be appropriate.

Allowance of the application is respectfully solicited. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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